

ELLEN F. ROSENBLUM  
Attorney General  
ROBERT E. SULLIVAN #983539  
Senior Assistant Attorney General  
Department of Justice  
1162 Court Street NE  
Salem, OR 97301-4096  
Telephone: (503) 947-4700  
Fax: (503) 947-4791  
Email: Robert.Sullivan@doj.state.or.us

Attorneys for Defendants Bugher, Crites, DiGiulio, and Irving

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

JABBAR SACHET AL-KHAFAGI,

Plaintiff,

v.

CHARLES C. SUNG, MD; (FNU) CRITES,  
Oregon State Correctional Institution (OSCI),  
Registered Nurse (RN); LORETTA IRVING,  
(OSCI) Medical Services Manager;  
CHRISTOPHER DIGIULIO, Oregon  
Department of Corrections (ODOC) Medical  
Director; JOE BUGHER, ODOC Health  
Services Administrator; and JOHN AND  
JANE DOES 1-20,

Defendants.

Case No. 2:19-CV-00669-MO

DEFENDANTS' UNOPPOSED MOTION  
FOR EXTENSION OF TIME FOR  
DISCOVERY AND PRE-TRIAL  
DEADLINES

**CERTIFICATE OF CONFERRAL**

Pursuant to UTCR 5.010 counsel for the above-listed State counsel for Plaintiff (Jonathan Gersten) and Defendants (Robert Sullivan) conferred before filing this motion. Counsel are in agreement regarding this request for an extension of time.

## MOTION

The current deadlines in this case are below. For the reasons set forth below, Counsel for the State of Oregon Defendants respectfully requests, and Plaintiff's counsel does not oppose, an extension of discovery and pre-trial order deadlines for an additional ninety (90) days.

	Current Deadline	Proposed Deadline
Discovery and Joint ADR report	November 17, 2022	February 15, 2023
Expert Disclosures	December 16, 2022	March 16, 2023
Expert Rebuttal Reports	January 16, 2023	April 16, 2023
Expert Discovery	February 15, 2023	May 16, 2023
Dispositive Motions	March 17, 2023	June 15, 2023
Pretrial Order	30 days after dispositive motion ruling	

The parties have exchanged prior pleadings and discovery now that Mr. Gersten has joined the case. The parties have made real progress in discussions toward resolving the case through ADR. In addition, the parties are considering the possibility of adding one or more additional defendants, or potentially filing a parallel action in USDC (Washington) in order to obtain more complete discovery and to bring in all parties that are believed to be responsible for Plaintiff's alleged injuries.

The parties have multiple upcoming trials that will somewhat burden progress in this matter. However, we anticipate significant progress by late December regarding additional defendant(s) and/or potential filing of a parallel complaint. The additional time will aid the parties in exhausting settlement efforts either directly or with the assistance of a mediator or judicial settlement conference.

**I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.**

DATED November 17, 2022.

Respectfully submitted,

ELLEN F. ROSENBLUM  
Attorney General

s/ Robert E. Sullivan  
ROBERT E. SULLIVAN #983539  
Senior Assistant Attorney General  
Trial Attorney  
Tel (503) 947-4700  
Fax (503) 947-4791  
Robert.Sullivan@doj.state.or.us  
Of Attorneys for Defendants